REMARKS

A final Office Action was mailed on April 23, 2003. Claims 1 – 11 are pending in the present application. With this Response, Applicants amend the abstract of the disclosure, amend claims 1 – 4, 6, 7 and 9 – 11, and add new claims 12 - 16. No new matter is introduced.

ACKNOWLEDGEMENT OF CERTIFIED COPY OF PRIORITY DOCUMENT

On information and belief, Applicants filed a priority claim and certified copy of the priority document (Japanese patent application no. 11-195474) for the present application mailed on March 29, 2000 to the U.S. Patent & Trademark Office. In the present Office Action of April 23, 2003, no acknowledgement of is provided as to receipt of the priority claim and receipt of the certified copy of the priority document. Applicants respectfully request that a supplemental Office communication be issued formally providing this acknowledgement.

OBJECTION TO DRAWING

FIGs. 1 and 2 are objected to under MPEP § 608.02g as lacking "Prior Art" legends. FIG. 5 is objected to under 37 C.F.R. § 1.84(p)(4) as using reference character "24" to designate both storage and processor. Proposed drawing changes to FIGs. 1, 2 and 5 to address these objections are provided in both marked-up and clean versions. In FIG. 5, reference character 25 is now used to designate the processor, consistent with Applicants' description of FIG. 5 for example at page 16, lines 11 – 12 of Applicants'

specification. Accordingly, Applicants respectfully request approval of the proposed changes and withdrawal of the drawing objections.

OBJECTION TO SPECIFICATION

The abstract of the disclosure is objected to as exceeding 150 words in length. Applicants amend the abstract to contain fewer than 150 words, and respectfully request that the objection be withdrawn.

ALLOWABLE CLAIMS

Applicants thank the Examiner for indicating that claims 3, 6 and 9-11 are objected to as being dependent on a rejected based claim, but that each would be allowable if rewritten to include all of the limitations of its associated base claim and any intervening claims.

Applicants introduce new claims 12 – 16, which respectively represent claims 3, 6, and 9 – 11 written in independent form (Claim 15 is left in dependent form to depend from allowable independent claim 14, corresponding to a rewritten claim 9). Accordingly, Applicants respectfully request that claims 12 – 16 be deemed allowable.

Applicants amend independent claims 1, 4 and 7 to further clarify the nature of their invention, and submit that independent claims 1, 4 and 7 are allowable for the reasons cited below. Applicants also amend claims 3, 6 and 9 –11 to correspond with amendments made to claims 1, 4 and 7. As each of claims 3, 6 and 9 – 11 each depend from one of allowable claims 1, 4 and 7, Applicants submit that claims 3, 6 and 9 – 11 are allowable for at least this reason. Accordingly, Applicants respectfully request that the objection to claims 3, 6 and 9 – 11 be withdrawn.

REJECTION UNDER 35 U.S.C. §§ 102, 103

Claim 7 is rejected under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6,477,238 to Schneider et al. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicants' admitted prior art (AAPA) in view of Schneider. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider in view of AAPA. Applicants amend claims 1 – 4, 6, 7 and 9 – 11 to further clarify the nature of their invention, and respectfully traverse the rejections.

In independent claims 1, 4 and 7, Applicants disclose a transmission apparatus, system and method for monitoring a quality of an order wire line that couples a plurality of transmission apparatuses. Monitoring is controlled from a remote monitoring control terminal.

As described in amended claim 7, Applicants' claimed method includes the steps of: a) remotely specifying, from the monitoring control terminal, a transmission apparatus which is to transmit test data as a specified transmitting apparatus, and a transmission apparatus which is to receive test data as a specified receiving apparatus, b) transmitting the test data from the specified transmitting apparatus to the order wire line in response to a start of a test instructed from the monitoring control terminal, c) receiving and temporarily storing the test data in the specified receiving apparatus, d) transmitting from the specified receiving apparatus to the monitoring control terminal via the specified transmitting apparatus one of the stored received test data, analyzed data of the received test data, and judgment data indicative of a judgment result of a comparison of the analyzed data and threshold values, after a predetermined time or at a specified time, and

e) monitoring, in the monitoring control terminal, the quality of the order wire line between the specified transmitting apparatus and the specified receiving apparatus.

Schneider discloses a loop verification system for an ADSL communication system which provides for monitoring quality of a line under test 300 via test units 165, 265. Unlike Applicants' claimed method, however, Schneider fails to disclose or suggest remotely monitoring in a monitoring control terminal, the quality of the order wire line between a specified transmitting apparatus and a specified receiving apparatus. Accordingly, Applicants respectfully submit that independent claim 7 is not anticipated by Schneider, and therefore stands in condition for allowance.

In independent claims 1 and 4, Applicants disclose a transmission apparatus including a multiplexing and demultiplexing section and an order wire section having a codec section, a branching and combining section, a 2-wire/4-wire converter and a monitoring processor including an order wire monitoring controller. The order wire monitoring controller remotely controllable in response to instruction from a monitoring control terminal to control transmission of test data stored in a storage section to an order wire line, to control storage of test data received via the order wire line to the storage section, and to control transmission and reception of one of received test data, analyzed data of the received test data, and judgment data indicative of a judgment result of a comparison of the analyzed data and threshold values.

AAPA discloses a transmission apparatus including a multiplexing and demultiplexing section and an order wire section having a codec section, a branching and combining section, a 2-wire/4-wire converter (see, e.g., Applicants' FIG. 2). The Examiner acknowledges that AAPA fails to disclose or suggest Applicants' claimed

monitoring processor including an order wire monitoring controller, and cites Schneider for teaching these missing elements. However, as described above, Schneider fails to suggest or disclose Applicants' claimed order wire controller operating in response to an instruction received from a monitoring control terminal. Accordingly, Applicants respectfully submit that independent claims 1 and 4 are not made obvious by the combination of AAPA and Schneider, and therefore stand in condition for allowance.

As claims 2, 5 and 8 respectively depend from allowable claims 1, 4 and 7, Applicants respectfully submit that claims 2, 5 and 8 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that 1 - 16, which include independent claims 1, 4, 7, 12 - 14 and 16, and the claims that depend therefrom, stand in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Respectfully submitted,

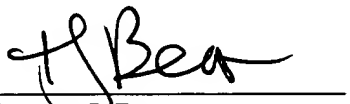

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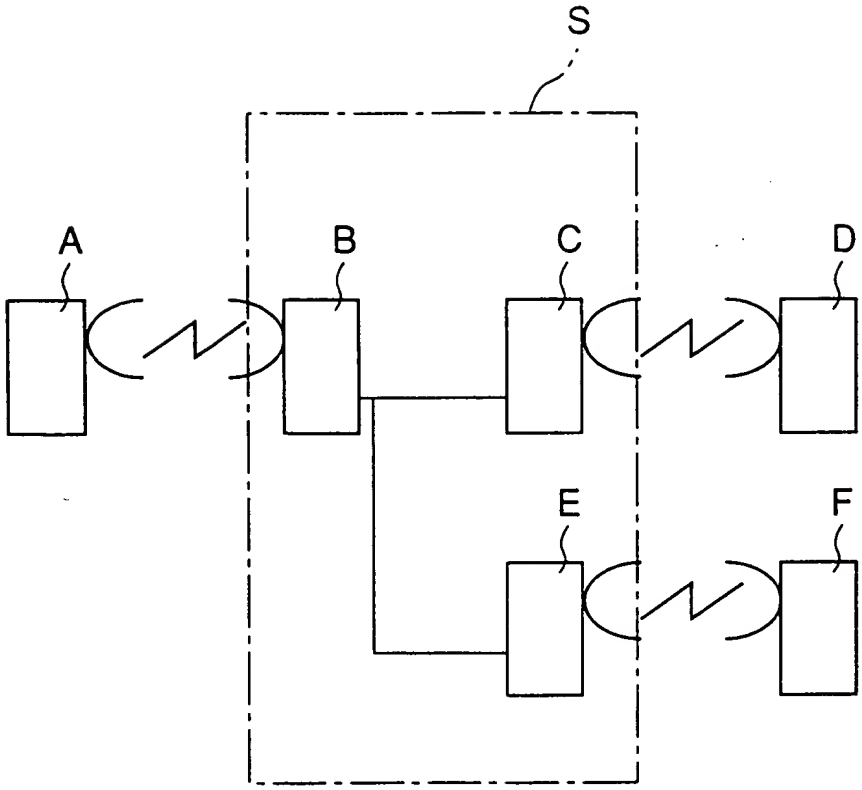
FIG.1
(PRIOR ART)



Approved
12/22/03
SJ

FIG.2
(PRIOR ART)

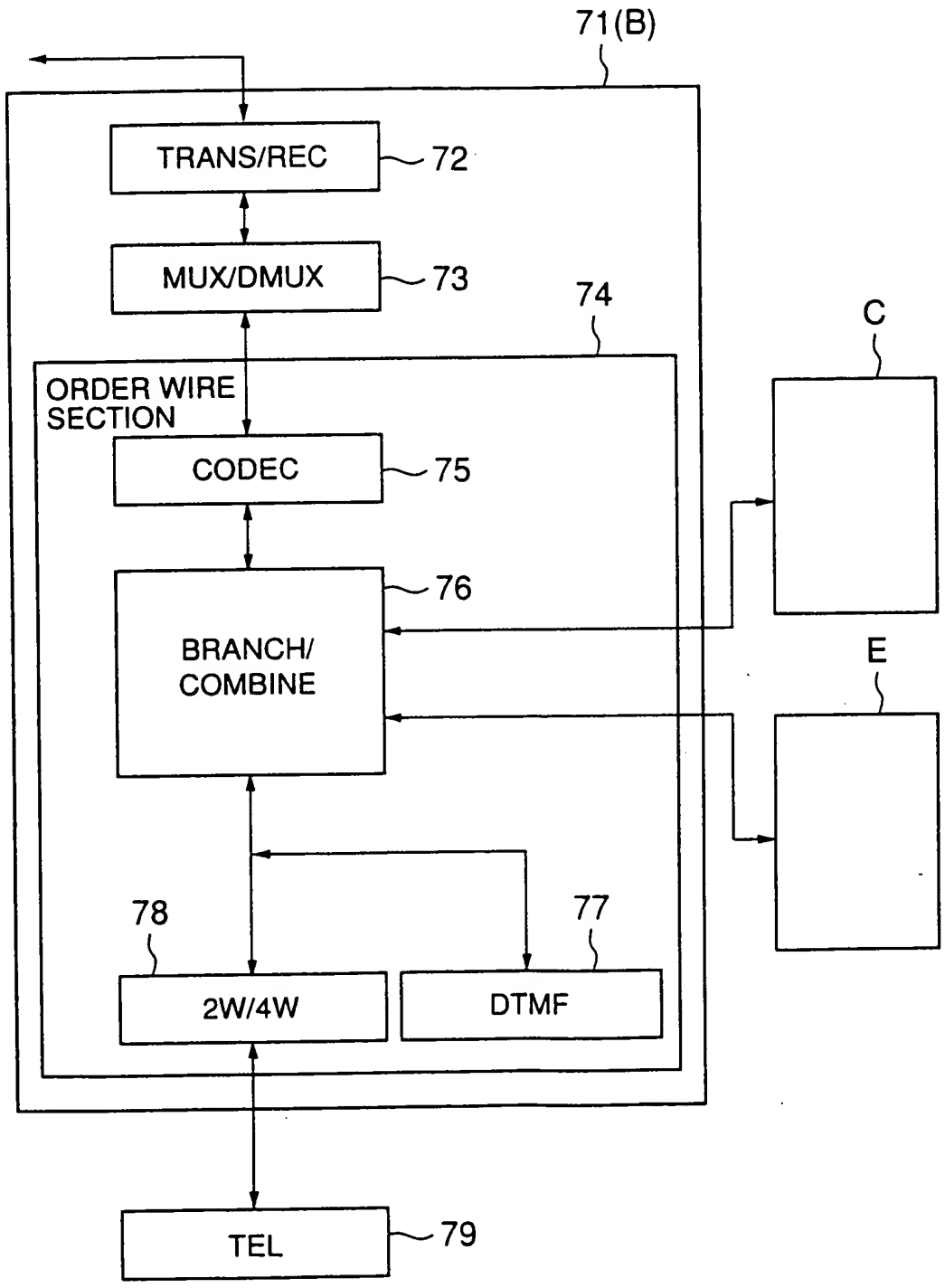


FIG.5